

BID OPENING

CITY OF SAN JOSE
OFFICE OF THE CITY CLERK

City Clerk
Time Stamp

RECEIVED
San Jose City Clerk
2009 JUL -9 P 2:44

TOTAL BASE BID 162,500.

ALT NO. 1 _____

ALT NO. 2 _____

ALT NO. 3 _____

Alt No. 4 _____

Alt No. 5 _____

BID DATE: Thursday, July 09, 2009

Project Manager: Jose S. Balingit – 535-8350

LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING

BIDDER NAME: RAN Electric Inc.

☒ Bond ☐ Cashier's Check _____

☒ Addendums Included ()

YES _____ NO _____

☒ NonCollusion Affidavit

YES _____ NO _____

LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING

BID DOCUMENTS

BID OPENING

3:00 P.M.

Thursday, July 9, 2009

Bidder:

R.A.N. ELECTRIC INC.

PROPOSAL TO CITY OF SAN JOSE

FOR

LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING

Name of Bidder:

The representations herein are made under penalty of perjury.

To: The City of San Jose, State of California

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans approved by the Director of Public Works on 6/11/09, entitled LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING and the Specifications approved by the Director of Public Works on 6/11/09, entitled LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING on file in the office of the Director of Public Works of the City of San Jose in City Hall, San Jose, California; that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of the Director of Public Works, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the City of San Jose, in the form of the copy of the contract on file in the office of the Director of Public Works, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City or Director of Public Works as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications, and to do all other things required of the Contractor by the contract; and will take in full payment therefor the following price or unit prices as shown in the Schedule of Quantities on the next page(s).

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such partnership the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership, the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business under (insert the fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorize to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished

LAKE CUNNINGHAM SKATE PARK SPORTS LIGHTING

NOTE TO BIDDERS:

The Bidder's Bond shall be at least 10% of the TOTAL BID AMOUNT.

in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the City Clerk prior to opening bids or submitted with the bid; otherwise, the bid may, at the City's option, be disregarded as non-responsive.

If this proposal shall be accepted and the undersigned shall fail to contract, and to give the Contractor's Bond For Faithful Performance and the Contractor's Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the City of San Jose, the City may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this proposal are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

1. Cash, a cashier's check or a certified check made payable to City, or a bidder's bond executed by an admitted surety insurer naming the City as beneficiary, in an amount equal to at least ten percent (10%) of the total amount bid including all alternatives.
2. A "List of Subcontractors".
3. A "Statement of Bidder's Experience".

City may at its option, request additional supplemental information after bid opening.

Bidder understands that the City reserves the right to reject any or all bids and to waive any informalities in the bidding.

The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.

Execution of the Non-Collusion Affidavit constitutes execution of this Bid Proposal including the above statement of nondiscrimination and, with the exception of the Bidder's Bond or Addenda, if any, no other signatures will be required.

NONCOLLUSION AFFIDAVIT

Project Title: LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING, being first duly sworn, deposes and says that he/she is

(print name)
the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof the effectuate a collusive or sham bid.

In accordance with Title 23, United States Code, Section 112, the bidder hereby states, under penalty of perjury, that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this contract. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution.

The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct.

Executed on July 9th 2009.

RAN Electric Inc.
Legal Company Name

Corporation
Indicate Type of Entity: Sole Proprietorship,
Partnership (General/Limited Partners),
Corporation, Joint Venture, etc.

City Business Lic. No.: 391238
Expiration Date: 6/30/2010
State Contractor Lic. No.: 733480
Classification: B/C10
Expiration Date: 7/31/2010
Federal I. D. No.: 45-0466769
Address: 477 Beverly Ave.
San Leandro CA 94577

By: [Signature]
Title: James Friely Estimator

Telephone: (510) 635-1350

NOTARY

On July 9, 2009 before me, May Huey-Cheung, personally appeared James Friely who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Notary Public

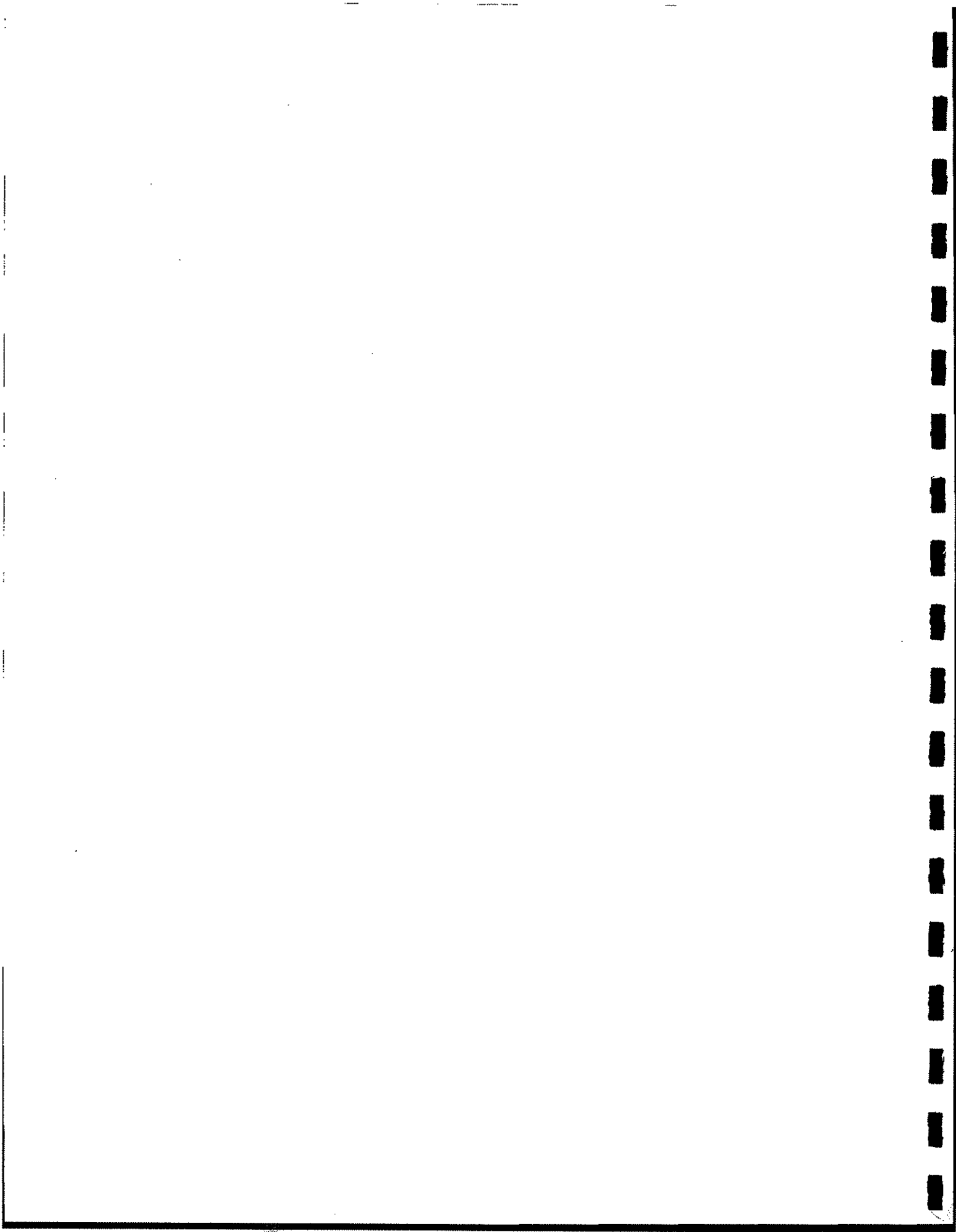
(Seal)



LIST OF SUBCONTRACTORS

Designation of Subcontractors as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

DESIGNATION OF SUBCONTRACTORS FOR THE CITY OF SAN JOSE FOR THE YEAR 1992		
Interstate Fence Co.	San Jose CA	Saving gates
Express Concrete Cutting	San Jose CA	saw cutting



STATEMENT OF BIDDER'S EXPERIENCE

The bidder is required to state below what work of similar magnitude or character the bidder has done, and to give reference that will enable the City Council to judge the bidder's experience, skill and business standing and of the bidder's ability to conduct the bidder's work as completely and as rapidly as required under the terms of the contract.

<u>PROJECT NAME</u>	<u>AGENCY/ENTITY</u>	<u>CONTRACT AMOUNT</u>
Hartnell College Site Light	Hartnell Community College	\$478,000
Site Utilities	Mt. Diablo U.S.D.	\$250,000
2007 Portable Repl.	Palo Alto USD	\$450,000
2004 San Francisco Line Station	City of San Francisco	\$59,000

STATEMENT OF BIDDER'S EXPERIENCE

The bidder is required to state below what work of similar magnitude or character the bidder has done, and to give reference that will enable the City Council to judge the bidder's experience, skill and business standing and of the bidder's ability to conduct the bidder's work as completely and as rapidly as required under the terms of the contract.

PROJECT NAME

AGENCY/ENTITY

CONTRACT AMOUNT

SEE Attached REF

R.A.N. ELECTRIC CO.
477 Beverly Ave.
San Leandro, CA 94577
Contractors License No. 733480 C-10 / B

References

Projects Completed

1. Mount Diablo Unified School District
6326 Bisso Lane
Concord Ca 94520

(Site Utilities 2005 5)

Underground and electrical utilities

Awarded: 07/2005 Completed: 11/05

Completed on time

Contract amount\$500,000.00

Contact: Ernesto Ramirez (Mt Diablo Unified School District) (925) 250-3719

No Stop notices & No lawsuits

2. San Jose State University
One Washington Square
San Jose California 94121

Project: Blue light & Kiosk stations

Underground routing of electrical to power up emergency call boxes thought campus.

Awarded: 11/19/2002 Completed: 01/22/2003

Completed on time

Contact: Chuck Terrazzas (C.M) (805) 6588786

Contract Amount..... \$115,000.00

No stop notices & no lawsuits

3. Cal State University of Hayward
25800 Carlos Bee Boulevard
Hayward Ca 94542

Sump Pump Installation

Underground power to manhole submersible pumps.

Awarded: March 30, 2004 Completed: April 30 2004

Completed on time

Contact: Barbara Beckman (CSUH) (510) 885-2298

Contract amount.....\$53,000.00

No Stop notices & No lawsuits

4. Mount Diablo Unified School District

6326 Bisso Lane

Concord Ca 94520

Delta View Elementary

Underground and overhead Power, F/A, Data, Security to 19 portables.

Awarded: 8/23/2004 Completed: 9/15/2004

Completed on time

Contract amount\$152,000.00

Contact: Ernesto Ramirez (Mt Diablo Unified School District) (925) 250-3719

No Stop notices & No lawsuits.

5. Hartnell Community College District

411 Central Ave,

Salinas Ca. 93901

Hartnell College Site Lighting

Awarded 01/09 Completed 05/09

Contract Amount\$ 478,000.00

ContactTom Anderson.....831-915-3395

No Stop Notice Claims..

BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No.: B910861

That we, R.A.N. Electric Inc. as **PRINCIPAL**,
and Financial Pacific Insurance Company, a corporation duly organized under the
laws of the State of California and duly licensed to become sole surety on bonds
required or authorized by the State of California, as **SURETY**, are held and firmly bound unto the
City of San Jose (hereinafter called the "City"), in the penal sum of **TEN PERCENT (10%) OF THE
TOTAL AMOUNT OF THE BID** of the Principal above named, submitted by said Principal to the
City of San Jose, for the work described below, for the payment of which sum in lawful money of
the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators
and successors, jointly and severally, firmly by these presents. In no case shall the liability of the
Surety hereunder exceed the sum of Ten Percent of the Total Amt. Bid **DOLLARS (\$**
10%**).**

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for
certain construction specifically described as follows, for which bids are to be opened in the Office
of the City Clerk, City of San Jose, City Hall, 200 E. Santa Clara St., Wing 2nd Fl., San Jose, CA
95113, on JULY 9, 2009 for **LAKE CUNNINGHAM REGIONAL SKATE PARK LIGHTING**.

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time
and manner required under the specifications, after the prescribed forms are presented to Principal
for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and
files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance
policies with the City, all as required by the specifications and the contract or by law, then the
obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety
and its bond shall be in no way impaired or affected by any extension of the time within which the
Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligor and judgement is recovered, the
Surety shall pay all costs incurred by the Obligor in such suit, including a reasonable attorney's fee to
be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 2nd
day of July, 2009.

PRINCIPAL

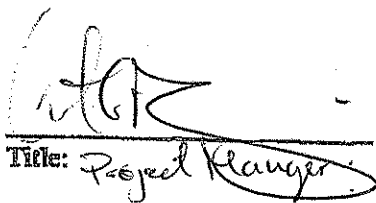
SURETY

R.A.N. Electric Inc.
Legal Company Name

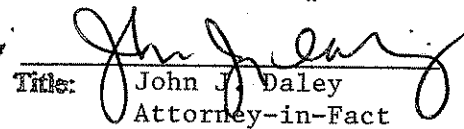
Financial Pacific Insurance Company
Legal Company Name

Indicate Type of Entity

By


Title: Project Manager

By


Title: John J. Daley
Attorney-in-Fact

By

Title:

By

Title:

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

County of Contra Costa }

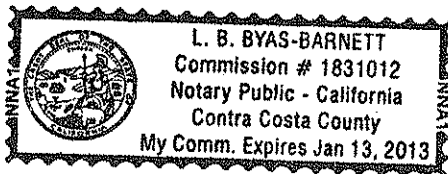
On 7-02-2009
Date

before me, L. B. Byas-Barnett, Notary Public

Here Insert Name and Title of the Officer

personally appeared John J. Daley

Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature

Signature of Notary Public L. B. Byas-Barnett

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Bid Bond #B910861

Document Date: 7-02-2009

Number of Pages: 2

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: John J. Daley,

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☒ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer Is Representing:
Financial Pacific
Insurance Company

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer Is Representing:

LIMITED POWER OF ATTORNEY

Financial Pacific Insurance Company

BOND NUMBER B910861

POWER NUMBER 910861

PRINCIPAL R.A.N. Electric Inc.

PENAL SUM Ten Percent of the
Total Amount Bid

KNOW ALL MEN BY THESE PRESENTS, that Financial Pacific Insurance Company, a California corporation (the "Company"), does hereby make, constitute and appoint:

John J. Daley, L.B. Barrett, Kenneth J. Goodwin

its true and lawful Attorneys-in-Fact, with limited power and authority for and on behalf of the Company as surety, to execute, deliver and affix the seal of the Company thereto if a seal is required on bonds, undertakings, recognizances or other written obligations in the nature thereof as follows:

Bid, Performance, Payment, Subdivision and Miscellaneous Bonds up to \$3,000,000.00

and to bind the Company thereby. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the Board of Directors of Financial Pacific Insurance Company at the meeting duly held July 6, 1995, which are now in full force and effect:

RESOLVED, that the President or any Vice President, in conjunction with the Secretary or any Assistant Secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company, to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any power of attorney previously granted such person.


RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company when signed and sealed (if a seal be required) by one or more attorneys-in-fact pursuant to and within the limits of the authority evidenced by the power of attorney issued by the Company to such person or persons.

RESOLVED FURTHER, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company; any such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, Financial Pacific Insurance Company has caused these presents to be signed by its proper officers, and its corporate seal to be hereunto affixed this 12th of September, 2007.





Edward J. Paoletti, Vice President


John R. Hollingshead, Secretary

STATE OF CALIFORNIA, COUNTY OF PLACER

On this 1st of January, 2008, before me, Lisa Roper, Notary Public, personally appeared Edward J. Paoletti and John R. Hollingshead, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.





Lisa Roper, Notary Public

CERTIFICATE

I certify under the Penalty of Perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Signed and sealed at Placer, this 2nd day of July, 20 09


John R. Hollingshead, Secretary

Financial Pacific
Insurance Company
seal must
be affixed